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ATTORNEYS FOR PLAINTIFF

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MISSOURI

MEGHAN DIETZ )  
 )  
 Plaintiff, )  
 )  
 vs. ) Case No. \_\_\_\_\_  
 )  
 STEPHANIE DAVIS, D.O. )  
 Serve at: 1600 E. Evergreen )  
 Cameron, MO 64429 )  
 )  
 and )  
 )  
 MUHAMMAD MUDUSSAR AMIN, M.D. )  
 Serve at: 502 South Main )  
 Gallatin, MO 64640 )  
 )  
 Defendants. )

**COMPLAINT**

COMES NOW Plaintiff Meghan Dietz and for her Complaint against the Defendants states as follows:

**PARTIES, JURISDICTION AND VENUE**

1. Plaintiff Meghan Dietz is a resident of Placerville, California.
2. Defendant Stephanie Davis, D.O. (hereinafter referred to as "Defendant Davis") is, and was at all times relevant to this action, a resident of Missouri and a duly licensed and physician who provided care and treatment Meghan Dietz in DeKalb County, Missouri.

3. Defendant Muhammad Mudussar Amin, M.D. (hereinafter referred to as "Defendant Amin") is, and was at all times relevant to this action, a resident of Missouri and a duly licensed and physician who provided care and treatment Meghan Dietz in DeKalb County, Missouri.

4. Plaintiff brings her complaint under federal diversity jurisdiction, 28 U.S.C. 1332, as the parties are completely diverse in citizenship and the amount in controversy exceeds \$75,000.

5. Venue is proper under 28 U.S.C. 1391 as the events giving rise to Plaintiff's claim occurred in this judicial district.

#### FACTS OF THE OCCURRENCE

6. An ectopic pregnancy is a life-threatening and painful condition.

7. On or about April 30, 2013, Ms. Dietz presented to the Emergency Room Department at Cameron Regional Medical Center in Cameron, Missouri with complaints highly suggestive of an ectopic pregnancy, which included significant abdominal pain.

8. Ms. Dietz was evaluated by defendant Davis, who ordered imaging and laboratory studies, which showed that Ms. Dietz had an ectopic pregnancy.

9. Defendant Davis failed to diagnose Ms. Deitz with an ectopic pregnancy and no treatment was given to treat her life-threatening and painful condition.

10. On or about May 8, 2013, Ms. Dietz again presented to the Emergency Room Department at Cameron Regional Medical Center in Cameron, Missouri with complaints highly suggestive of an ectopic pregnancy. Ms. Dietz continued to be in significant pain.

11. Ms. Dietz was evaluated by defendant Amin, who ordered imaging and laboratory studies, which again showed that Ms. Dietz had an ectopic pregnancy.

12. Defendant Amin failed to diagnose Ms. Dietz with an ectopic pregnancy and no treatment was given to treat her life-threatening and painful condition.

13. Following her discharge, Ms. Dietz continued to suffer immensely from the undiagnosed ectopic pregnancy, which eventually ruptured on or about May 20, 2013.

COUNT I - NEGLIGENCE

14. Plaintiff Meghan Dietz incorporates by reference each and every allegation of paragraphs 1 through 13.

15. Defendant Davis, as Ms. Dietz's emergency room physician on or about April 30, 2013, owed a duty to Ms. Dietz to possess that degree of skill and learning ordinarily used in the same or similar circumstances by members of her profession and to provide proper medical care to Plaintiff.

16. Defendant Davis breached her duty to Ms. Dietz by failing to measure up to the standards of due care, skill and learning and practice required by other members of her profession in, among other things, the following particulars:

- a. failing to diagnose Ms. Dietz's ectopic pregnancy;
- b. failing to treat Ms. Dietz's ectopic pregnancy;
- c. failing to follow up on the imaging and laboratory studies she ordered;
- d. failing to consult an OB/GYN; and
- e. failing to provide appropriate discharge instructions.

17. Defendant Amin, as Ms. Dietz's emergency room physician, on or about May 8, 2009 owed a duty to Ms. Dietz to possess that degree of skill and learning ordinarily used in the same or similar circumstances by members of his profession and to provide proper medical care to Plaintiff.

18. Defendant Amin breached his duty to Ms. Dietz by failing to measure up to the standards of due care, skill and learning and practice required by other members of his profession in, among other things, the following particulars:

- a. failing to diagnose Ms. Dietz's ectopic pregnancy;
- b. failing to treat Ms. Dietz's ectopic pregnancy;
- c. failing to follow up on the imaging and laboratory studies he ordered;
- d. failing to consult an OB/GYN; and
- e. failing to provide appropriate discharge instructions.

19. As a direct and proximate result of the negligence of defendants Davis and Amin, Plaintiff Meghan Dietz suffered, among other things:

- a. a ruptured ectopic pregnancy;
- b. physical and mental injuries that have caused and will continue to cause severe physical pain, disfigurement, and mental anguish;
- c. a significant diminishment in her ability to enjoy life;
- d. reasonable medical expenses for hospital services, treatment by physicians, nursing care, medicine, and special medical equipment that she has incurred; and
- e. future medical expense for additional care and treatment for the foreseeable future.

WHEREFORE, Plaintiff Meghan Dietz prays judgment against the Defendants for such sums as are fair and reasonable in excess of \$75,000 together with her costs incurred and expended and for such other relief as the Court deems just and proper.

**DEMAND FOR JURY TRIAL**

Plaintiff requests a jury trial on all issues in this matter.

Respectfully submitted,

**FOWLER PICKERT, LLC**

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